



Board of Adjustment Case Report

City of Raleigh
Planning & Development Department
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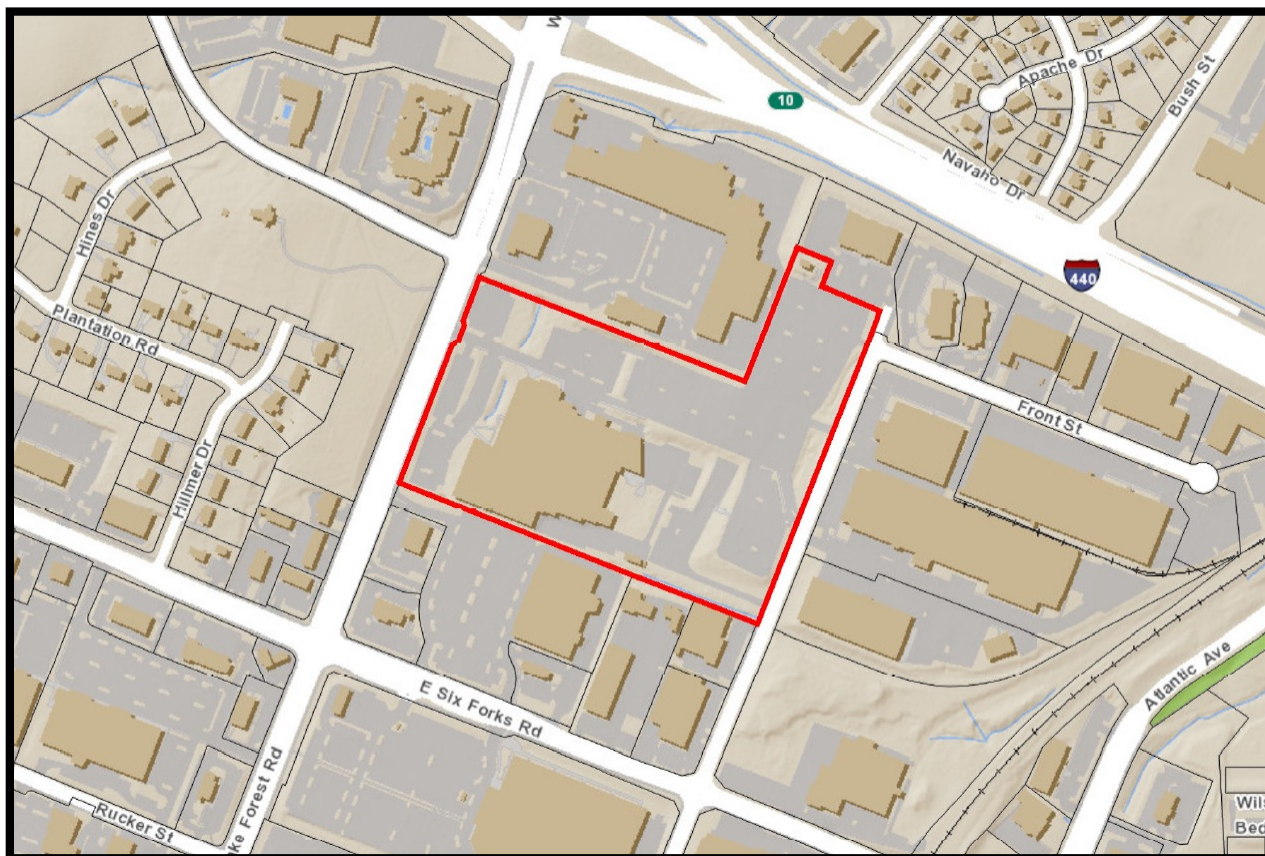
Case File: A-134-16

Property Address: 2912 Wake Forest Road

Property Owner: ITB Holdings, LLC

Project Contact: Michael Birch

Nature of Case: A request for a special use permit pursuant to Raleigh City Code section 10-2144(b) in order to permit twenty-foot front yard setbacks and twenty-foot corner lot side yard setbacks along Wake Forest Road and the proposed extension of Wake Towne Drive, for property with an site plan submitted and in review under the previous Industrial-1 legacy zoning ordinance. The requested special use permit proposes to reduce the front yard setback and corner lot side yard setback from 50 feet to 20 feet on a 22.44 acre property currently zoned Commercial Mixed Use-3 stories-Parking Limited (CX-3-PL) and located at 2912 Wake Forest Road.

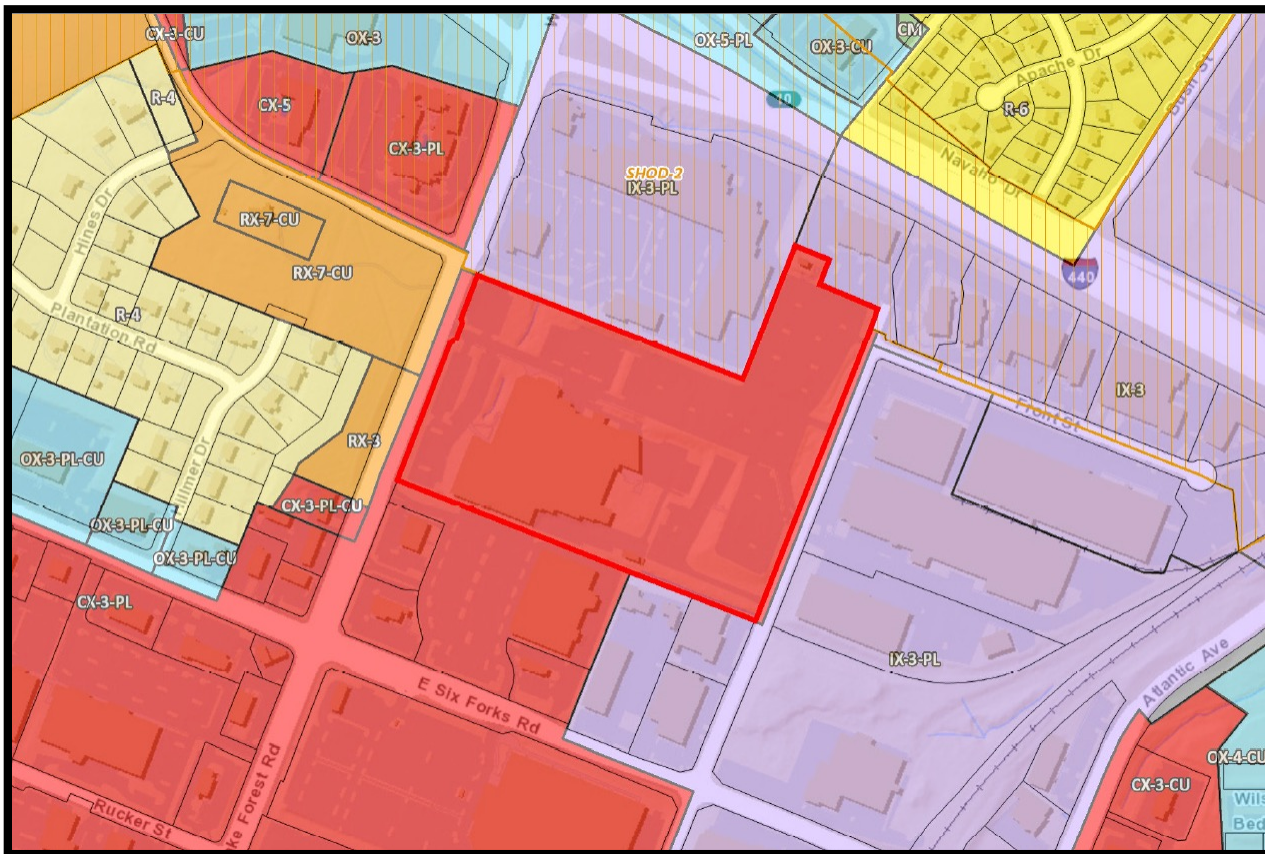


2912 Wake Forest Road – Location Map

To BOA: 1-9-17

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Commercial Mixed-Use-3 Parking Limited (Legacy zoning: Industrial-1)



2912 Wake Forest Road – Zoning Map

Setback Standards: The Legacy zoning on the subject property was Industrial-1

<u>Yard Type</u>	<u>Minimum Setback</u>
Front Yard	50'
Corner Side	50'
Side	0'
Sum of sides	40'
Rear	0' or 50' if adjoining ROW

The current zoning on the subject property is Commercial Mixed-Use-3 Parking Limited (CX-3-PL): General Building setbacks for plans subject to the UDO would be:as follows:

Yard Type	Minimum Setback
Primary Street	5'
Side Street	10'
Side	0' or 6'
Rear	0' or 6'
Alley	5"

Legacy Code Section 10-2144 Yard Reductions

As a prerequisite to the approval of a special use permit allowing any of the following district yard setback reductions the Board shall first find that the evidence submitted at the hearing establishes that such reductions will not be injurious to property or improvements in the affected area.

(1) Yard reductions at corners and next to open spaces.

To permit yard reductions on corner lots or lots opposite or adjoining permanent open spaces, including parks and playgrounds.

(2) Front yard reduction.

To permit reductions in front yard setbacks where there are irregularities in depths of existing front yard setbacks on a block face provided the reduction equals any one (1) of the depths of the existing front yard setbacks on that side of the street.

(3) To permit reductions for topography or solar access.

To permit reductions in front, side and rear yard setbacks if necessary because of topography or solar access.